

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

V-1217 - VACATION OF A STREET AND A UTILITY EASEMENT LOCATED WEST OF I-235 IN AN AREA NORTH OF 8TH STREET.

The Planning Commission recommends approval subject to all proceedings being at the applicant's expense.

Bayouth moved, Hansen seconded and it carried unanimously. Gardner and Goebel were absent. (9-22-83)

ACTION: Approve the vacation request as recommended by the Planning Commission and place the ordinance on first reading.

VACATION CASE DATA

Legal Description:

(Street): Commencing at the NE corner of the NE 1/4 of Section 15, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; Thence South along the East line of said 1/4 Section, 691.32 feet to the point of beginning, said point also being the intersection of the west line of Gilda Ave. (now Lakewind) as platted in Miles Lakewood Living Addition, and the east line of said 1/4 section; Thence southwesterly along said west line of Gilda, 269.32 feet; thence southeasterly, perpendicular to said west line, 45 feet; Thence northeasterly, parallel to and 45 feet east of said west line, to the east line of said 1/4 section; Thence north, along the east line of said 1/4 section to the point of beginning.

(Utility easement): The 15-foot utility easement parallel and adjacent to the northwesterly line of the above-described street as platted in Miles Lakewood Living, An Addition to Wichita, Sedgwick County, Kansas.

Applicant: Gene Miles
10711 W. Kellogg, 67209

Comments: The applicant has obtained a quit claim deed from KDOT for the portion of street right-of-way which was acquired by condemnation. KDOT has relinquished all rights it had to the balance of the street right-of-way. (Note: 41 feet of street width was acquired by condemnation; 4 feet was acquired in the platting process.) The platted 15-foot utility easement north of the cul-de-sac has never been used for utilities and is also being vacated.

(98882) (Published in the Daily Record May 11, 1984)

ORDINANCE NO. 38-790

AN ORDINANCE VACATING A UTILITY EASEMENT IN MILES LAKEWOOD LIVING AND A PORTION OF LAKEWIND (FORMERLY GILDA AVENUE) AS ACQUIRED THROUGH CONDEMNATION CASE A-77197. AND AS PLATTED IN MILES LAKEWOOD LIVING, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That the street and utility easement described as follows, to-wit:

(Street): Commencing at the NE corner of the NE 1/4 of Section 15, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; Thence South along the East line of said 1/4 Section, 691.32 feet to the point of beginning, said point also being the intersection of the west line of Gilda Ave. (now Lakewind) as platted in Miles Lakewood Living Addition, and the east line of said 1/4 section; Thence southwesterly along said west line of Gilda, 269.32 feet; thence southeasterly, perpendicular to said west line, 45 feet; Thence northeasterly, parallel to and 45 feet east of said west line, to the east line of said 1/4 section; Thence north, along the east line of said 1/4 section to the point of beginning.

(Utility easement): The 15-foot utility easement parallel and adjacent to the northwesterly line of the above-described street as platted in Miles Lakewood Living, An Addition to Wichita, Sedgwick County, Kansas. (MAPC NO. V-1217);

be and the same are hereby vacated in accordance with K.S.A. 13-443, subject however, to the concurrence in such vacation by the Board of County Commissioners as by law provided.

SECTION 2. That it is hereby recommended to the Board of County Commissioners of Sedgwick County, Kansas, that said above described street and easement be vacated by said Board in case a proper petition is filed under the provisions of K.S.A. 12-504, 12-505 and K.S.A. 12-506.

SECTION 3. That this Ordinance shall be in force and take effect from and after its passage and publication once in the official city paper.

PASSED AND APPROVED at Wichita, Kansas, this 8TH day of May, 1984.

ATTEST:

Robert C. Knight, Mayor

Donald C. Gisick, City Clerk

(SEAL)

ify that this instrument was filed for record in
 s Office, at 4:10 o'clock P. .m., on the
number , 1975.

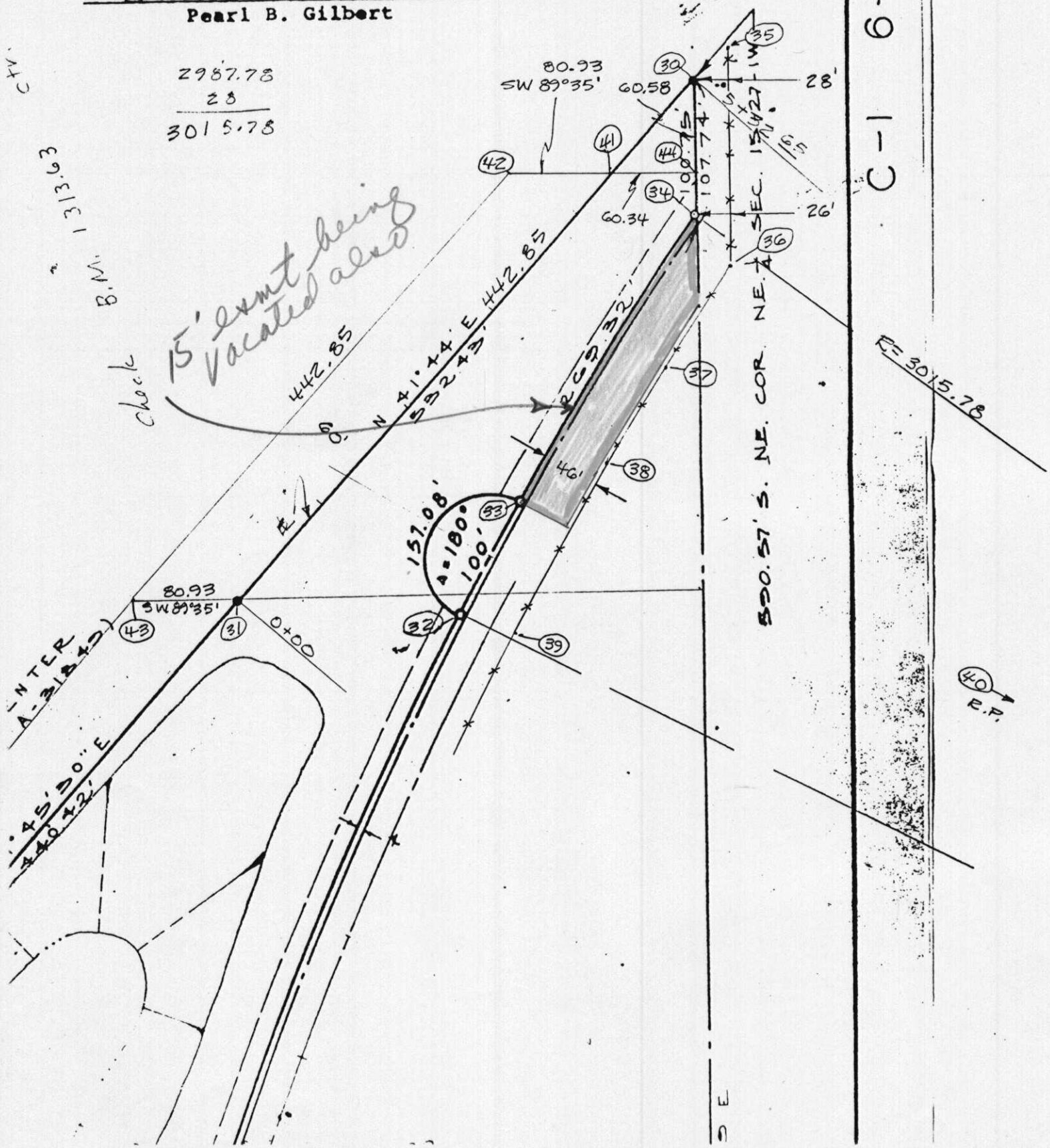
Bette F. McCart , Register of
 Bette F. McCart Deeds
Pearl B. Gilbert , Deputy
 Pearl B. Gilbert

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CTV

B.M. 1313131313

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 15' exmt being
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 R.P.